

Hon. Ronald Reinstein (ret.), Chair  
Capital Case Oversight Committee  
1501 W. Washington, Suite 410  
Phoenix, AZ 85007

## IN THE ARIZONA SUPREME COURT

IN THE MATTER OF:	)	Supreme Court Number
	)	R-13-0010
PETITION TO AMEND RULE 32.4,	)	
ARIZONA RULES OF CRIMINAL	)	Comment from the Capital
PROCEDURE	)	Case Oversight Committee
_____	)	

The Capital Case Oversight Committee (“Oversight Committee”) considered this rule petition during a public meeting on April 4, 2013, and the Oversight Committee now submits this comment. Petitioner, the presiding criminal judge of the Superior Court in Maricopa County, is a member of the Oversight Committee.

(1) Rule 32.4(c) currently provides a time limit of 120 days for filing a petition for post-conviction relief in a capital case. By a motion supported by seven members and opposed by four, the Oversight Committee concluded that the 120-day time limit is unrealistic.

(2) R-13-0010 proposed changing the 120-day time limit to eighteen months. Oversight Committee members had diverse views on what constitutes a realistic time requirement for filing a petition, and members suggested alternatives

of one year, eighteen months, and two years. Because of a lack of agreement among its members, the Oversight Committee does not endorse the limit proposed in this rule petition, or any other particular time limit.

Respectfully submitted this 10<sup>th</sup> day of May 2013

By: /s/\_\_\_\_\_  
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